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10/614,744	07/07/2003	John A. Hicks III	60027.0181USU2/BS02500	6181

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EXAMINER

HUYNH, CHUCK

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/614,744	Applicant(s) HICKS ET AL.	
	Examiner Chuck Huynh	Art Unit 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

07

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-10, 12-15, 20, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gillig in view of Rautiloa.

Regarding claim 1, Gillig discloses a system for providing voice and data services over a wired data network, the system comprising (Abstract):

an unregulated wireless network including one or more wireless access points wired to the wired data network the wireless access points operative to provide wireless access to the wired data network over an unregulated wireless connection (Col 2, lines 12-35);

a regulated wireless network (cellular service provider) operative to provide telecommunications services on regulated wireless communications frequencies (Col 2, lines 36-44, 52-55); and

one or more dual mode digital cordless handsets for communicating in a first mode with the one or more wireless access points via the unregulated wireless connection in order to provide the voice and data services and further operative to

Art Unit: 2683

communicate in a second mode with the regulated wireless network in order to provide the voice and data services (Abstract, Col 2, lines 33-35, 48-50; Col 3, lines 13-19, 36-41).

Even though Gillig discloses all the particulars of the claim, Gillig may be unclear on an unregulated wireless network.

However, Rautiola does disclose an unregulated wireless network (Col 4, lines 55-61).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate an unregulated wireless network such as Bluetooth or 802.11 WLAN.

Regarding claim 2, Gillig discloses the system of claim 1, wherein the one or more dual mode digital cordless handsets are further operative to switch between the unregulated wireless network and the regulated wireless network without user action (Abstract; Col 7, lines 24-28)

Regarding claim 3, Gillig discloses the system of claim 2, wherein switching between the unregulated wireless network and the regulated wireless network comprises exiting a wireless transmission area of the unregulated wireless network and entering a wireless transmission area of the regulated wireless network (Col 7, lines 29-47).

Regarding claim 4, Gillig discloses the system of claim 3, wherein the dual mode digital cordless handsets are further operative

to detect the signaling transmissions of the regulated wireless network (Col 7, lines 52-55);

to register with the regulated wireless network (Col 4, lines 24-28; Col7); and

to switch from the unregulated wireless network to the regulated wireless network (Col 7, lines 29-47).

Regarding claim 5, Gillig discloses the system of claim 3, wherein switching between the unregulated wireless network and the regulated wireless network comprises exiting a wireless transmission area of the regulated wireless network and entering a wireless transmission area of the unregulated wireless network (Col 7, lines 52-66).

Regarding claim 6, Gillig discloses the system of claim 3, wherein the dual mode digital cordless handsets are further operative

to detect the signaling transmissions of the unregulated wireless network (having a transceiver) (Col 3, line 16);

to provide identification information to the wired data network via the unregulated wireless network (Col 3, lines 51-62); and

to switch from the regulated wireless network to the unregulated wireless network (Col 7, lines 52-66).

Regarding claim 7, Gillig discloses the system of claim 6, wherein digital cordless handsets are further operative to transfer the identification from the unregulated wireless network to the wired network where it is determined what voice and data services to provide based on the identification information (Col 7, lines 40-44).

Regarding claim 8, Gillig discloses the system of claim 1, wherein a one of the one or more dual mode digital cordless handsets is operative to communicate with the wired data network via any one of the wireless access points (communication at various wireless base stations within the network) (Col 2, lines 24-25, 30-33).

Regarding claim 9, Gillig discloses the system of claim 8, wherein the one or more dual mode digital cordless handsets is operative to switch between any two of the wireless access points during voice or data communication (Col 7, lines 29-44).

Regarding claim 10, Gilig discloses the system of claim 9, wherein switching between any two of the wireless access points comprises exiting a wireless transmission area of a first wireless access point and entering a wireless transmission area of a second wireless access point (Col 7, lines 28-44).

Regarding claim 12, Rautiola discloses the system of claim 1, wherein the regulated (cellular) wireless connection is a GSM/GPRS connection (Col 4, line 20).

3. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gillig in view of Rautiola in further view of Souissi.

Regarding claim 11, Rautiola discloses all the particulars of the system of claim 1 (Col 4, lines 55-61), wherein the unregulated wireless connection is an IEEE 802.11 WLAN network, but does not distinctively disclose the usage of IEEE802.11b. It is well known in the art to use IEEE 802.11b connection on a network.

Even though, Gillig in view of Rautiola does not distinctively disclose the use of IEEE 802.11b connection, art is provided to establish IEEE 802.11b connection.

Gilig in view of Rautiola in further view of Souissi does disclose the usage of an 802.11b network (LAN) (Col 8, lines 1-3).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate an 802.11b connection to establish connectivity.

Regarding claim 13, Gillig discloses a method of providing voice and data services over a wired data network and over a regulated wireless network, comprising (Abstract):

detecting a dual mode digital cordless handset in range of a wireless access point over an unregulated wireless connection (cordless phone system), wherein the wireless access point is wired to the wired data network (cordless base stations) (Col 7, lines 34-36);

providing for incoming calls to and outgoing calls from the dual mode digital cordless handset and through the wired data network (Col 5, lines 15, 44);

detecting a loss of the unregulated (cordless system) wireless connection, wherein the dual mode digital cordless handset is moved from the transmission range of the wireless access point (Col 7, lines 29-44);

detecting the dual mode digital cordless handset in range of the regulated (cellular) wireless network (Col 7, lines 44, 52-55); and

providing for incoming calls to and outgoing calls from the dual mode digital cordless handset through the regulated wireless network (Col 5, lines 53-54, 13-21).

Regarding claim 14, Gillig discloses the method of claim 13, whereby if the dual mode digital cordless handset is returned to within the range of the wireless access point (cellular to cordless) (Abstract; Col 7, lines 52-61),

detecting a dual mode digital cordless handset in range of a wireless access point over an unregulated (cordless system) wireless connection, wherein the wireless access point is wired to the wired data network (Abstract; Col 7, lines 31-36, 59-61) ;
and

providing for incoming calls to and outgoing calls from the dual mode digital cordless handset and through the wired data network (Col 5, lines 19-20, 25, 50-52).

Regarding claim 15, Gillig discloses the method of Claim 13, further comprising:

obtaining identification information (whether the user is identified to be using the cordless phone mode or the cellular mode) from the dual mode digital cordless handset for provision to the wired data network (Col 5, lines 13-36); and

determining the voice and data services to provide to the dual mode digital cordless handset over the wired data network based upon the obtained identification (deciding which mode to provide communication in) (Col 5, lines 13-36).

4. Claim 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gillig in view of Rautiola in further view of McZeal, Jr.

Regarding claim 16, Gillig in view of Rautiola discloses all the particulars of the claim except the method of claim 13, further comprising assigning an IP address to the dual mode digital cordless handset upon detecting the handset being in range of the wireless access point, and wherein providing for incoming and outgoing calls comprises establishing a VoIP session between the dual mode digital cordless handset and the wired network through wireless access point.

However, McZeal, Jr. does disclose assigning an IP address (Col. 35, lines 65-67) to the dual mode digital cordless handset upon detecting the handset being in range of the wireless access point, and wherein providing for incoming and outgoing calls comprises establishing a VoIP session (Col 9, lines 25-28) between the dual mode digital cordless handset and the wired network through wireless access point.

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate a voice over IP service to reduce cost (Col 6, lines 38-39) and establish communication.

Regarding claim 17, McZeal, Jr. discloses the method of Claim 16, wherein providing for incoming calls comprises detecting an IP address corresponding to a telephone number that is called and wherein the VoIP session is established with the dual mode digital cordless handset that is assigned the IP address corresponding to the telephone number (Col 9, lines 25-28).

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gillig in view of Rautiola in further view of McZeal, Jr. and in further view of Erikson.

Regarding claim 18, Gillig in view of Rautiola in further view of McZeal discloses all the particulars of the claim except the method of Claim 16, wherein providing for outgoing calls comprises establishing the VoIP session when receiving a dialed number at the dual mode digital cordless handset and completing a call to the party corresponding to the dialed number.

However, Erikson does disclose outgoing calls comprises establishing the VoIP session when receiving a dialed number at the dual mode digital cordless handset and completing a call to the party corresponding to the dialed number (Col 4, lines 56-67).

It would have been obvious to one ordinarily skilled in the art at the time of invention to use the voice over IP service to establish an outgoing call.

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gillig in view of Rautiola in further view of Souissi.

Regarding claim 19, Rautiola discloses all the particulars of the system of claim 13 (Col 4, lines 55-61), wherein the unregulated wireless connection is an IEEE 802.11 WLAN network, but does not distinctively disclose the usage of IEEE802.11b. It is well known in the art to use IEEE 802.11b connection ion a network.

Even though, Gillig in view of Rautiola does not distinctively disclose the use of IEEE 802.11b connection, art is provided to establish IEEE 802.11b connection.

Gilig in view of Rautiola in further view of Souissi does disclose the usage of an 802.11b network (LAN) (Col 8, lines 1-3).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate an 802.11b connection to establish connectivity.

Regarding claim 20, Rautiola discloses the method of Claim 13, wherein the unregulated wireless connection is a Bluetooth connection (Col 4, line 56).

Regarding claim 21, Rautiola discloses the method of Claim 13, wherein the regulated wireless connection is a GSM/GPRS connection (Col 4, line 20).

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 22-29, 31, 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Rautiola et al. (hereinafter Rautiola).

Regarding claim 22, Rautiola discloses a system for providing voice and data services over a wired data network and over a regulated wireless network, the system comprising (Col 1, lines 5-9; Col 2, lines 54-67; Col 6, lines 31-34; Fig. 2):

a broadband residential gateway comprising a first network device for communicating with the wired data network (Col 3, lines 60-65), a second network (Col 3, lines 29-38; Col 4, lines 27-31) device for providing a communications link to one or more wired network devices over a local wired network, and a wireless access point (Col 4, lines 55-58) operative to provide wireless access to the wired data network over an unregulated (Col 3, lines 20; Col 6, lines 37-39) wireless connection;

a regulated wireless network operative to provide telecommunications services on regulated wireless communications frequencies (Col 4, lines 14-26); and

one or more dual mode digital cordless handsets for communicating in a first mode with the wireless access point via the unregulated wireless connection in order to

provide the voice and data services and further operative to communicate in a second mode with the regulated wireless network in order to provide the voice and data services (Col 2, lines 54-67).

Regarding claim 23, Rautiola discloses the system of claim 22, further comprising one or more digital wired handsets for communicating with the wired data network in order to provide the voice and data services (Col 6, lines 31-47).

Regarding claim 24, Rautiola discloses the system of claim 23, wherein the local wired network comprises a home phone networking alliance network (Col 2, lines 46-49; Col 4, line 58).

Regarding claim 25, Rautiola discloses the system of claim 23, wherein the wired data network is operative to generate a telephone call directed toward the broadband residential gateway and wherein the telephone call may be answered on any of the one or more dual mode digital cordless handsets or any of the digital wired handsets (Col 11, lines 54-65; Fig. 7).

Regarding claim 26, Rautiola discloses the system of claim 23, wherein the broadband residential gateway is operative to generate a telephone call directed toward the wired data network and wherein the telephone call may be initiated on any of the

one or more dual mode digital cordless handsets or any of the digital wired handsets
(Col 11, lines 54-65; Fig. 7).

Regarding claim 27, Rautiola discloses the system of claim 23, wherein the system further comprises a directory information database and wherein any of the one or more dual mode digital cordless handsets or any of the digital wired handsets are operative to access directory information provided by the directory information database (Col 9, lines 3-7).

Regarding claim 28, Rautiola discloses the system of claim 22, wherein the dual mode digital cordless handsets transmit a user identifier to the wired network and wherein the system further comprises a restriction database of the wired network that applies rules to telephone calls of the dual mode digital cordless handsets based on the user of the dual mode digital cordless handsets (Col 8, lines 50-67).

Regarding claim 29, Rautiola discloses the system of claim 22, wherein the system further comprises a web interface at a personal computer linked to the wired network, wherein the web interface provides for entry of administrative information for providing the voice and data services over the wired data network (Col 3, lines 26-27; Col 4, line 50; Fig. 4).

Art Unit: 2683

9. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rautiola in view of Souissi.

Regarding claim 19, Rautiola discloses all the particulars of the system of claim 13 (Col 4, lines 55-61), wherein the unregulated wireless connection is an IEEE 802.11 WLAN network, but does not distinctively disclose the usage of IEEE802.11b. It is well known in the art to use IEEE 802.11b connection ion a network.

Even though, Rautiola does not distinctively disclose the use of IEEE 802.11b connection, art is provided to establish IEEE 802.11b connection.

Rautiola in view of Souissi does disclose the usage of an 802.11b network (LAN) (Col 8, lines 1-3).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate an 802.11b connection to establish connectivity.

Regarding claim 31, Rautiola discloses the system of Claim 22, wherein the unregulated wireless connection is a Bluetooth connection (Col 4, line 57).

Regarding claim 32, Rautiola disclose the system of Claim 22, wherein the regulated wireless connection is a GSM/GPRS connection (Col 4, line 20).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Raffel; Michael A. discloses a Cordless cellular system

Lemilainen; Jussi discloses an Apparatus, and associated
method, for facilitating authentication of
communication stations in a mobile communication
system

Mauney; Daniel W. discloses an Enhanced wireless handset,
including direct handset-to-handset communication mode

Brooking, Michael A. discloses a Method and system for
providing message services in a communication system

Gilbert; Gordon J. discloses a Method and system for
completing a voice connection between first and second voice terminals in
a switched telephone network


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Huynh whose telephone number is 571-272-7866. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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